

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**VIRNETX INC., and
LEIDOS, INC.,**

Plaintiffs,

v.

APPLE INC.,

Defendant.

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No. 6:12-cv-00855-RWS

JURY TRIAL DEMANDED

JOINT SUBMISSION OF JURY MATERIALS

Pursuant to this Court’s Docket Control Order, Plaintiff VirnetX Inc. (“VirnetX”) and Defendant Apple Inc. (“Apple”) hereby submit the following jury materials:

Attached as **Exhibit A** hereto are VirnetX’s and Apple’s Joint Proposed Preliminary Jury Instructions related to liability and damages, with bracketed and highlighted individual proposals and footnoted objections and comments.

Attached as **Exhibit B** hereto are VirnetX’s and Apple’s Joint Proposed Final Jury Instructions related to liability and damages, with bracketed and highlighted individual proposals and footnoted objections and comments.

Attached as **Exhibit C** hereto are VirnetX’s and Apple’s Joint Proposed Preliminary Jury Instructions related to willfulness, with bracketed and highlighted individual proposals and footnoted objections and comments.

Attached as **Exhibit D** hereto are VirnetX’s and Apple’s Joint Proposed Final Jury Instructions related to willfulness, with bracketed and highlighted individual proposals

and footnoted objections and comments.

Attached as **Exhibit E** hereto is VirnetX's Proposed Verdict Form related to liability and damages.

Attached as **Exhibit F** hereto is VirnetX's Proposed Verdict Form related to willfulness.

Attached as **Exhibit G** hereto is Apple's Proposed Verdict Form related to liability and damages.

Attached as **Exhibit H** hereto is Apple's Proposed Verdict Form related to willfulness.

The parties reserve the right to amend, supplement, or modify these proposed jury materials as the case proceeds toward the final pretrial conference and trial, and as the parties continue to meet and confer regarding these materials. Additionally, the parties do not waive any objections to issues that are the subject of pending or anticipated motions, including *Daubert* motions, motions to strike, motions for summary judgment, and motions *in limine*.

DATED: March 7, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service on this 7th day of March, 2018. Local Rule CV-5(a)(3)(A).

/s/ Bradley W. Caldwell
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